

WAGNER BOARD'S NEW CITY LAWS

Report Strong for Home Rule
As to Sunday Liquor
and Police.

FAVORS WELFARE BODY

Wants Bureau to Deal Ex-
clusively With Gambling
and the Social Evil.

WOMEN POLICE POSSIBLE

Present Unenforceable Laws In-
centives to Graft, Says
the Committee.

Three radical recommendations for
bettering police conditions of this city
are made in the report which the Wag-
ner committee will submit to the Legis-
lature to-night. In brief they are:

1. Amend paragraph 30 of the
liquor law so as to permit the
local authorities of this city to de-
termine whether and under what
conditions liquor may be sold on
Sunday.
2. Remove from the Police De-
partment responsibility for the en-
forcement of laws relating to gam-
bling and the social evil and
transfer it to a new city depart-
ment to be called the Department
of Social Welfare. The head of this
department shall be a board of
public welfare, of seven members,
three appointed by the Mayor from
nominations made by certain
philanthropic, charitable and civic
organizations. These members
shall serve without salary for seven
years, the appointments being so
arranged that one commissioner
shall retire and one be appointed
each year. The board of public
welfare shall have authority to ap-
point a commissioner of public wel-
fare, with such salary and assis-
tants as may be required and ap-
proved by the Board of Estimates.
The commissioner or any other
appointee shall be removable at
will by the board of public wel-
fare.
3. Pass such laws as will give
the authorities of this city absolute
control in the management, ad-
ministration and control of its Po-
lice Department, even to the extent
of modifying existing laws without
interference from the Legislature.

Specific Police Reforms.

As to specific reforms in the Police
Department the committee feels that
there should be several changes in the
law but in view of its home rule
recommendations it suggests only these
four as the most important:

1. The grade of inspector should
be abolished.
2. There should be no limit to
the number of deputy commis-
sioners.
3. The administration of the fi-
nances of the department should
be segregated.
4. The inspection of boilers
should be removed from the Police
Department.

The varied testimony heard by the
committee in this city leaves no doubt
in the minds of the committee as to the
cause of police graft. The report says:
"It is found in the obligation of a
police officer to treat as a crime that
which neither he nor the majority of
his fellow citizens consider to be cri-
minal and to enforce laws which are not
in substantial accord with his or their
beliefs or habits of life."

"In the desire of extremists to en-
force ideal conditions relating to the
sale of liquor, they have been too ready
to write general rules of conduct into
the Criminal Code. Laws to be enforced
must be enforced, and to be enforced
they must represent the body of pub-
lic opinion. It is impossible to enforce
laws relating to personal conduct
against the wishes of a large part of the
citizens. The policeman is the victim
of rules of personal conduct enacted
into criminal laws which he is not ex-
pected to enforce. The police, having
discretion as to what they will or will
not observe, have an opportunity for
graft. They first suggest a gratuity,
then demand it as a right. The gratuity
becomes a bribe."

Sunday Law Not Enforced.

Regarding Sunday liquor selling the
committee says:

"The law of the State of New York
forbids Sunday selling of liquor in sa-
lons. A large proportion of the popula-
tion of the city of New York, especially
the foreign born, who have been ac-
customed all their lives to partake of beer
and light wine with their meals seven
days a week, see no wrong in it, at least,
in the sale of liquor on Sunday.
It is difficult for them and for those who
are accustomed to a continental Sunday,
and for those to whom Saturday is the
day of rest, to understand what is wrong
in what is criminal in the sale of liquor
on the first day of the week."

"It is difficult to understand why it is
proposed to sell liquor to a guest of a
restaurant, when it is not criminal to sell
liquor to the guest of a hotel, or why the
man who dines at home should not be able
to purchase his glass of beer as well as
the man who dines at a hotel, or the man
who drinks his wine at his club. A law
which makes it a crime which has been
part of the daily life of a large percentage
of the citizens, cannot but fall into ill
repute."

The excise laws have never been en-
forced in the city of New York, save
sporadically in limited areas. So well
it is recognized that the candidates for
public offices announce in advance their
policy in regard to the enforcement
of the excise laws.

It is wrong in principle that there
should be any policy as to the enforcement

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HOSE BURSTS IN CAPITOL FIRE.

Blaze in Albany Storerooms Reveals
Whole Length Is Porous.

ALBANY, N. Y., March 30.—Fire in
vault-like storerooms under the main
stairway of the Capitol gave the firemen
an hour's hard work to-day and
revealed the fact that the hose was use-
less.

When a stream was turned on from
the new fire protection system that has
been installed since the disastrous fire
of two years ago the hose burst, water
sprouting in every direction. The whole
length of hose was practically porous.
The fire did little damage. Defective
wiring is believed to have caused the
blaze.

The storerooms are cut off from the
Capitol proper by fireproof doors.

TO FLY TO MONTE CARLO.

British Aviator and Passenger to
Leave London April 1.

Special Cable Dispatch to The Sun.
LONDON, March 30.—Gustav Hamel,
the aviator, with Miss Trevelyan De-
vies as a passenger, proposes to fly from
London to Monte Carlo, starting on
April 1. Miss Davies, it may be recalled,
has been a passenger on several famous
trips with Astley, the aviator, who fell
and was killed at Hendon some months
ago.

FRIEDMANN PLANS TO IMMUNIZE THE RACE

By Inoculating Babies He Hopes
to Stop the White
Plague.

Dr. Friedmann took advantage of his
inactivity yesterday to impress upon
those who called on him the point in
his work which he considers the most
vital. That is the property of his tu-
berculosis culture, by which with its
inoculation of infants, he hopes to
bring about a new generation immune from
the white plague.

Dr. Friedmann fears his work has
been misunderstood if the impression
has gone abroad that his chief aim is
to cure those already suffering from
consumption and other forms of tuber-
culosis. That, of course, he considers
a most important phase of his cam-
paign, but a greater part of his work
has been in perfecting the culture that
he says will immunize the coming gen-
eration.

The specialist from Berlin becomes
very enthusiastic when he talks about
the value of his preparation to new
born babies. He tells of the 350 which
he treated in Berlin before they were
three days old. This happened eighteen
months or more ago, and in that time,
he says, there have been no develop-
ments of disease or any ulterior effects
from the injections.

Those who talked with Dr. Fried-
mann got the impression that if he
were to follow his inclinations he would
devote his entire attention to the im-
munization of infants. That, he says, is
the only sure means of ridding the
world of the white plague.

Dr. Friedmann has not had an op-
portunity here to test his culture as an
immunizing agent.

YSAYE AND HIS SON ARE SAFE.

Famous Violinist Fled North From
Hamilton, Ohio.

Telegrams from Eugene Ysaye were
received yesterday by his manager, R.
E. Johnston, stating that the violinist
and his son, Gabriel Ysaye, are safe.
Both had been unheard from during
the past week, as they were in the
flooded district of Ohio.

The messengers, which were a day old
were sent from Indianapolis and from
there to Chicago, and said that Ysaye
and his son had passed through ter-
rible experiences. They were caught
by the flood at Hamilton, Ohio, and
immediately fled north.

For two days they were driving
across country. Later on it took them
forty-eight hours to cover sixty miles
in a train.

All their baggage was lost, though it
is believed Ysaye rescued his violin, and
the dispatches did not mention that it
was lost. The messengers did not report
any injury to Ysaye or his son, who is
25 years old and is seeing America with
his father.

STEAMSHIP ALLIANCE FORMED.

Welsford's and Hamburg-American
Incorporate for Panama Trade.

Special Cable Dispatch to The Sun.
LIVERPOOL, March 30.—The Welsford
Company of Liverpool has entered into
an alliance with the Hamburg-Ameri-
can Steamship Company in anticipa-
tion of the opening of the Panama
Canal.

All the ships of the Welsford Com-
pany have been transferred to a new
corporation which is to be called "The
Gulf Transport Company of Liverpool,
Ltd." J. M. Welsford is to be chair-
man of the new company and Herr Bal-
lar, the managing director of the Ham-
burg-American company, will be asso-
ciated with him.

BLUE LAWS CLOSE NORFOLK.

Drug Stores, Cigar Stands and News-
papers Affected.

NORFOLK, Va., March 30.—For the first
time in the history of Norfolk blue laws
were enforced here to-day. Drug stores
were not even allowed to sell soda water
and cigars could not be purchased at all
prices.

Newspapers could not be sold in
stores and the local papers as a result
lost much of their Sunday circulation.
Strangers arriving in the city were
unable to buy a toothbrush. There is an
old law on the statute books of Vir-
ginia imposing a fine on a man for kiss-
ing his wife. The citizens are waiting to
see if the police will enforce this law.

Cafe Lafayette and Hotel Brevoort, the two
Frisco restaurants of New York.—Ad.

WALDO SLEUTH FAILS TO SMIRCH DWYER

Schmittberger, Expert on Rules,
Can't Find One Inspec-
tor Has Violated.

PLAN TO FIRE INSPECTOR

He's Still Shadowed, Though
He Asks to Be Demoted
if Not Trusted.

Chief Inspector Max F. Schmittberger
has been a policeman for something
more than thirty-nine years.

As far back as 1881 he received a
medal from the Police Board for his
"good judgment and sagacity." Before
and since that time he has been known
as a man who never failed to carry out
an order from a superior to which he
gave his interest.

But Schmittberger was floored last
week when Commissioner Waldo ordered
him to go through the book of rules of
the department and find some rule
under which charged could be made
against Inspector John F. Dwyer, or,
failing in this, some rule which would
justify Dwyer's demotion.

The task was given to the chief in-
spector on Friday, March 21, the day
Waldo took away Dwyer's thirteen ex-
perienced plain clothes men and scat-
tered them to the four winds.

All that day Schmittberger thumbed
his book of rules, although he already
knew most of it by heart, in an effort
to live up to his record for obeying
orders. At the day's close he had to
admit to the Commissioner that he
was stumped, perhaps for the first
time in his life, and that he didn't know
of a single rule in the whole book that
Dwyer had violated.

This information came to The Sun
yesterday from a man in the chief in-
spector's office and the informant mar-
veled that Schmittberger had failed.
Commissioner Waldo called in the
chief inspector to use his knowledge
of the book of rules after word had
been brought to Police Headquarters of
Inspector Dwyer's visit to the home of
District Attorney Whitman on Wednes-
day night, March 19.

Headquarters detectives working un-
der orders had trailed Dwyer from his
headquarters on the upper West Side
to Mr. Whitman's home at Madison
avenue and Twenty-sixth street and
reported the visit immediately.

Dwyer was not sent for by the Com-
missioner until the next Friday morn-
ing. The Commissioner, according to
descriptions of the occurrence given at
Headquarters, asked Dwyer all about
his visit to Whitman, what Whitman
asked him and what answers he made
to Whitman's questions.

Finally, Dwyer asked to be reduced
to a captaincy and sent to any precinct
outside of Manhattan.

Dwyer told the Commissioner that he
had long known that he did not have
the Commissioner's confidence; that this
was evident because he had been un-
der surveillance by Headquarters de-
tectives and private detectives in the
employ of Waldo, and that the removal
of his plain clothes men, of which he
had just been apprised by telephone,
was a final proof that Waldo did not
trust him.

The inspector went on to say that
he was in command of a district which
was difficult enough when the com-
manding officer was not hampered by
his superiors, and that since he was so
hampered and spied upon, his usefulness
in that district was at an end, and
the sooner he was sent somewhere else,
in his old rank of captain, the better
for himself and the department.

Commissioner Waldo did not consider
it advisable to reduce Dwyer, and
time without any excuse except that
the inspector had called on the District
Attorney when asked to do so, even
though Dwyer urged his own demotion.
There was no violation of the rules
apparent upon the surface, hence the
order to the experienced Schmittberger
to find a rule that had been violated,
even if it took him the study of the
whole book to reveal it.

Members of the department well
versed in happenings at Police Head-
quarters say that the Commissioner
would not have been satisfied with a
mere arbitrary demotion, even if based
on a violation of rules, if grounds could
be found for charges upon which Dwyer
could be dismissed.

It was found that Dwyer, in respond-
ing to the call of the District Attorney,
had done only what perhaps a dozen or
two policemen do every day in the year
without permission from the Commis-
sioner. It was found that when the
District Attorney sends for a police-
man, no matter what his grade, the
policeman is supposed to obey and does
obey, and that the question of apply-
ing to the Police Commissioner for
permission had never before been raised.
Furthermore it was found that it
wouldn't do any good to raise the ques-
tion and that the District Attorney
without question had the power to com-
pel attendance whenever he wished, and
that the Commissioner had no right to
sanction such a visit or not.

Pending the search for the missing
rule, the Commissioner declined to
grant Dwyer's request for a demotion
and the inspector is still in command
of the new Tenthredin. He is still shadowed
by Headquarters men and the private
detectives, the identity of at
least one of whom is known to many in
the department.

The surveillance of Dwyer is under
the personal direction of one of the
Deputy Commissioners. In addition
practically every person arrested in re-
cent raids upon questionable resorts in
the Fourth inspection district has been
called to Police Headquarters and ques-
tioned closely by a Deputy Commis-
sioner, with particular reference to
whether any money has been passed
to anybody who could possibly be con-
nected with Dwyer.

So far this Headquarters investiga-
tion of Dwyer has been entirely fruit-
less. Later, efforts by Dwyer to get out

Continued on Fifth Page.

COLLEGE MOVES; RETURNS SITE.

Property Conveyed in 1880 Reverts
to Carroll Estate.

ELLSWORTH CITY, Md., March 30.—The
old site of St. Charles's College, six
miles above here, will revert to the
estate of Charles Carroll of Carrollton
because the trustees have decided to
rebuild elsewhere.

A jury returned a verdict yesterday
in favor of Robert G. Harper Carroll in
his action to eject the trustees from the
land conveyed to the college by Charles
Carroll on March 25, 1880. The deed
contained a reversion clause, but Mr.
Carroll made every effort to have the
college return to the old site, even
offering stone from his quarries for the
work of rebuilding the structure, which
was destroyed by fire a few years ago.
The college trustees decided to build
at Clifton, Ga., because they found they
could have the work done for
about \$100,000 less.

CAR UPSETS ON EIGHT WOMEN.

Owner Trying Out New Auto Speeds
at Sharp Curve.

ALLENTOWN, Pa., March 30.—Eight
women were injured when a red touring
car driven for the first time by Hiram
Woodring, a Catasauqua grocer, skidded
and turned over to-day.

Woodring took the women aboard as
they were leaving church. The car
took a sharp curve and the inexperienced
owner threw on high speed. The machine
upset, throwing all the occu-
pants out.

Mrs. William Kink, 60 years old, will
die. Mrs. Walter Acker suffered a broken
arm and internal injuries. Woodring
escaped with a dislocated shoulder and
lacerations of the face.

FAMOUS PAINTING BY VELASQUEZ RECOVERED

"The Annunciation to the Shep-
herds," Long Missing,
Found in London.

Special Cable Dispatch to The Sun.

LONDON, March 30.—The missing
Velasquez painting, "The Annunciation
to the Shepherds," has been found by
a connoisseur in London. He has
communicated the news of his dis-
covery to a few chosen friends, but
wishes to have his name kept secret
from the public.

The authenticity of the picture,
which is thickly coated with dirt and
varnish, is unquestioned. It is one
of the finest works of painters of the
early period. It was bequeathed by
the English painter Standish to Louis
Philippe, who exhibited it in 1842 in
the Louvre, where it remained until
1853, three years after Louis Philippe's
death. It was then sold at Christie's
and bought by the Rev. Dr. Daven-
port Bromley for \$1,955.

The subsequent whereabouts of the
picture is unknown, but it is believed
to have come into the Ashburnton col-
lection, from which it was sold
privately at an unknown date.

Taft Starts for New York.

Will Arrive From Augusta Today
on Way to New Haven.

Augusta, Ga., March 30.—Ex-Presi-
dent Taft and his party left Augusta
this afternoon on the Atlantic Coast
Line at 5:15 o'clock and is due in
New York late to-morrow afternoon.
He will spend to-morrow night with
his brother, Henry W. Taft, and go to
New Haven on Tuesday morning.

A large number of people were at the
depot to bid Mr. Taft good-by, and
he expressed himself as being deeply
touched by the manner in which he
has been treated in Augusta. Since
March 5 Mr. Taft and his immediate
family have been the guests of the
people of Augusta, all of their expenses
having been defrayed by the citizens.
He has thoroughly enjoyed himself and
has thoroughly enjoyed the people here.
Mr. Taft and Augusta people have
formed a mutual admiration society.

With the departure of the Tafts many
winter guests are leaving.

TWO THUMBED BOY LOST.

Police Restore Brooklyn Youngster
Picked Up in The Bronx.

Little Harry Rosen, 5 years old, got
lost yesterday in The Bronx. Harry has
two thumbs on his right hand though
only the usual number on his left.

When Harry's sister ran into the
Alexander avenue police station and
asked if Harry had been found the de-
puty sergeant said he didn't know about
Harry but said little boy had been
found. What did Harry look like?

Mary said he had two thumbs on
one hand. Harry was examined.
Sure enough the thumbs were there,
and he was turned over to Mary.

The Rosen family lives at 1581 East
New York avenue, Brooklyn.

MUD FILLS ROCHESTER STREETS

Genesee River Goes Down, Leaving
Inches of Slime.

ROCHESTER, N. Y., March 30.—Roch-
ester emerged from the flood of the
last four days to-day with many of
its streets covered inches deep in mud.
The Genesee River has fallen to a
safe level and the water is gradually
disappearing from the cellars of the
flooded districts. On Front street the
second hand purveyor was seen dis-
mantling an inventory of their losses all
day. By to-morrow morning the busi-
ness buildings will have their floors
going and things will be normal.

Reports from all up the valley in-
dicate that the water is going down
rapidly. Some of the roads are free
of water and the railroads are hasten-
ing repairs. Farmers will soon be
going about their business as usual.

A pony glass of ANGSTURIA BITTERS
the morning after a dinner party.—Ad.

BOMBARDMENT OF SCUTARI RENEWED

Montenegrins and Servians
Drive Turks From Advance
Entrenchments.

LIKELY TO DEFEY EUROPE

Austria May Invade Mountain
Country to Stop the
Fighting.

Special Cable Dispatches to The Sun.

SCUTARI, March 30.—Montenegro evi-
dently has decided to defy Europe just
as the little State did at the beginning of
the Balkan war. Despite the warning
note of the Powers and the protests of
Austria and Italy the bombardment of
Scutari has been resumed.

The big Servian guns have been
shelling the Ottoman positions on the
plain before the town since Saturday.
The Turks have been compelled to
evacuate the entrenchments near the
Kir River.

There is no truth in the rumor that
King Nicholas is dead. He is in excel-
lent health.

The Government has not yet replied
to the note from the Powers in regard
to discontinuing the bombardment of
Scutari, and it is taken for granted
everywhere in Montenegro that the
siege will be continued. No one can
say how the Powers are going to en-
force their demands for the raising of
the siege. There is nothing on the
Montenegrin seacoast which if bomb-
arded would compel these mountain-
eers to surrender and the nature of the
country is regarded as a protection
against invasion.

VIENNA, March 30.—It is not known
here whether the bombardment of
Scutari has been resumed, but there is
no sign that Montenegro is willing to
stop the bombardment. The Austrians
are doing their best to compel
her to do so. It is under-
stood that an Austrian naval demon-
stration will be the first step. This
will be followed by an invasion of the
country if the naval effort should prove
to be ineffectual.

It is said that Austria has three army
corps on the Herzegovinian frontier ready
to march into Montenegro if necessary.

TURKS SAY THEY'RE WINNING

Report Repeating Bulgarians With
Losses at Tehtaldia.

Special Cable Dispatches to The Sun.
CONSTANTINOPLE, March 30.—It is an-
nounced that the Turks were victori-
ous in the fighting at Tehtaldia on Fri-
day and Saturday. The Bulgarians were
repulsed with severe loss in an attack
on Kalkitratis, to the westward of Buyuk
Chekmedje. They left 1,000 dead on the
field. The Turks also captured a quan-
tity of war material.

The rumor that the Ottoman lines
were pierced and elsewhere is said
here to be false.

LONDON, March 31.—Martin H. Dono-
hoe, the correspondent of the Daily
Chronicle at Constantinople, confirms
the report of a Turkish victory at
Buyuk Chekmedje, which he witnessed.
The Bulgars had captured the position
on Friday night at the point of the
bayonet, but on Saturday at dawn the
Turks vigorously bombarded them and
then made an attack with 6,000 bayo-
nets in a blinding rain while the Bul-
garians rained a hail of shrapnel on them.
After a desperate bayonet hand to hand
fight the Bulgarians were driven out of
the positions and thrown into confusion
and retreat by the shelling of the
Turkish artillery.

SERVIA TO ACCEPT NOTE.

Report That She, However, Resents
Pressure by Powers.

Special Cable Dispatches to The Sun.
LONDON, March 31.—The commander of
the Daily Telegraph learns that Ser-
bia, although she has not yet replied to
the note of the Powers in regard to the
evacuation of Albania, will comply with
the demands. It is said in other quar-
ters, however, that she resents the
pressure that has been brought to bear
on her in view of her previous under-
taking to evacuate the country as soon
as peace with Turkey is signed.

The misgivings in regard to the atti-
tude of Montenegro continue, although
hope seems to be built on the reported
loyalty of Russia to the Powers, who are
pressing Montenegro to "throw up the
sponge."

In regard to the prospects of peace
between Turkey and the Balkan States,
although there are rumors of an inten-
tion to attack Tehtaldia and advance
on Constantinople, the writer in the
Daily Telegraph pictures the allies as
exhausted, eager for peace and dis-
posed to facilitate it. He says that
Bulgaria has dropped the high note
which she sounded a few days ago and
has become quite submissive to the
Powers.

She is willing to accept their amend-
ment to her demand for a frontier line
from Midia to Enos and make it from
Midia to Saros. The peace terms, he
asserts, will be sent to the Porte on
Monday and the broad outlines of the
treaty will shape themselves in two
days.

On the other hand, the movement of
the Bulgarians from Adrianople toward
Tehtaldia is progressing, and, accord-
ing to a despatch from Sofia to the
Daily Mail, the Ministers have gone to
Adrianople to consult the commanders
as to whether it would be advisable to
attack Tehtaldia. The opinion at
Sofia is that the allies will not get ac-
ceptable conditions unless they take
Turkey by the throat.

The first reports from English corre-
spondents who were allowed to visit
Adrianople are now coming in. They
make it clear that the city was not
surrendered but captured. The story
that the Vail sent an offer to Gen. Ivan-
off is denied by the latter and others.
At all events, the Vail did not authorize
any such act. The white flag was not
hoisted over the headquarters of Shukri
Pasha, the Turkish commander, until
long after the besiegers were masters
of the situation and only fifteen min-
utes before the victors entered the city.

CORNISH, N. H., SUMMER CAPITAL

Winston Churchill Orders Place Pre-
pared for the Willsons.

CORNISH, N. H., March 30.—Winston
Churchill says the summer capital is
going to be in this town in 1913.
He has sent word from Santa Barbara,
Cal., to the caretaker of Harlakenden,
his summer residence here, to get the
place in readiness for use be-
cause President Wilson and his family
are to occupy it during the hot
months.

HADLEY AFTER PRESIDENCY.

Ex-Governor Making Active Cam-
paign for 1916 Nomination.

WASHINGTON, March 30.—Ex-Gov.
Hadley of Missouri is believed to be an
active candidate for the Republican
nomination in 1916, and apparently has
a well organized propaganda at work for
him.

He has been making excursions into
other States recently, delivering ad-
dresses containing advice as to the re-
habilitation of the Republican party.
Senator La Follette undoubtedly will
be a candidate. Senator Borah of Idaho
also is in high favor, but neither has
yet permitted his friends to start a cam-
paign.

MOVING 3 STORY BRICK SCHOOL.

Engineering Task Being Carried Out
at San Francisco.

SAN FRANCISCO, March 30.—An engi-
neering feat of moving a three story
brick building, 120 by 140 feet in di-
mension and weighing 8,000 tons, is
now being carried out here. It is the
Commercial High School building,
which must be moved two and a half
blocks to provide room for new struc-
tures of uniform architecture which
will form the new civic centre.

The contract, which calls for pay-
ment of \$151,000, provides that if the
engineering company should fail to
move the building successfully it must
duplicate the structure on the new site.
It is estimated that about two months
will be required to move the building.
The equipment for the moving includes
2,000 steel rollers, each two feet long;
1,000,000 feet of lumber, 150 tons of
steel and five miles of steel cable. Three
engines will furnish power. They must
start and stop operations at the pre-
cise moment, otherwise the building
will be racked.